IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2311 OF 2006

Mr. Salim Usman Sheikh. ..Applicant.
Vs.
The State of Maharashtra. ..Respondent.

Mr.V.G.Bagade, Adv. for the Applicant.
Ms.S.V.Gajare, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 20.7.2006.

P.C.

1. This is an application for grant of bail. The applicant is shown as an accused alongwith other accused in C.R.No.36/2006 registered by Goregaon Police Station for alleged offences under Section 307, 341, 506(II) read with 34 and 120B of the I.P.C. and under Section 3, 25 and 27 of the Arms Act. Two persons by names Avinash Varadkar and Harjeetsingh Kaushal were injured in the firing said to have been made by some of the co accused. According to the prosecution case, the co accused were brought to the scene of offence by the present applicant Salim. Admittedly, there is no material to show that there was motive for the applicant to cause injury to the injured Avinash and Harjeetsingh. They have not any taken part in the firing. The material against the present applicant pertains to the

hiring of the vehicle. There is also statement of one Bhausahib to indicate that he was party to the conspiracy. The statement of the said Bhausahib was recorded by the police late. Taking into account the nature of the material and other circumstances, I am inclined to grant bail to the applicant. It is therefore, directed that pending his trial in pursuance of C.R.No.36/2006 registered by Goregaon Police Station, the applicant may be released on bail in the sum of Rs.15,000/- with one surety in the like amount subject to the condition that he should report to the I.O. at Goregaon Police Station once in a week on every first Monday between 5 to 7.p.m. till the disposal of the trial.

2. It is also made clear that since the trial is before the Fast Track Court, it will be conducted according to its present schedule. The applicant to remain present on all the dates of the trial. It is also made clear that if the applicant remains absent on any of the date in the trial court then this order is liable to be cancelled unless applicant is exempted by the trial court.

3. Application is disposed off.

(R. S. MOHITE, J.)